

**UNITED STATES DISTRICT COURT**  
**FOR THE WESTERN DISTRICT OF LOUISIANA**  
**SHREVEPORT DIVISION**

**DARRELL WESLEY BANKS**

**CIVIL ACTION NO. 23-1186-P**

**VERSUS**

**JUDGE DOUGHTY**

**RED BALL OXYGEN, ET AL.**

**MAGISTRATE JUDGE HORNSBY**

**JUDGMENT**

For the reasons stated in the Report and Recommendation of the Magistrate Judge [Doc. No. 11] previously filed herein, and after an independent review of the record, including the Objection [Doc. No. 12] filed by Plaintiff, and determining that the findings are correct under the applicable law,

**IT IS ORDERED, ADJUDGED, AND DECREED** that this action is **STAYED** under the following conditions:

a. If Plaintiff intends to proceed with his claims, within thirty (30) days of the date the criminal proceedings against him have concluded, he must file a motion asking the court to lift the stay, and the action will proceed at that time, absent some other bar to suit;

b. If the stay is lifted and the court finds Plaintiff's claims would impugn the validity of his conviction, the action will be dismissed under *Heck*; if no such finding is made, the action will proceed at that time, absent some other bar to suit; and,

c. In light of the stay, Plaintiff **SHALL NOT** file any additional documents in this action until the state court proceedings have concluded.

**MONROE, LOUISIANA**, this 14<sup>th</sup> day of February 2024.



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**TERRY A. DOUGHTY, JUDGE**  
**UNITED STATES DISTRICT COURT**